G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1907.

(Mudyrai)

File No. 200

Serial Nos. 1—6

Papers Filed.

Month ~~August~~ 1908

SUBJECT.

Declines the restoration of Shanna Jois to the Archakship of Sri Vinayaka Devare temple at Soulapur in Koppa Taluk

PREVIOUS REFERENCES. | LATER REFERENCES.

MUZRAI SECRETARIAT.

OFFICE NOTE.

File No. 200-37

SUBJECT.

re the restoration of Sanna gois to the Archakship of Sri Vinayaka Devasm temple at Soulapur.

From

The Deputy commissioner, Kadur District

No. 550 Dated 24th June 1937

(Short)

Sanna gois, (late) Archak of the Sri Vinayaka Devasm temple at Soulapur in the Koppa Taluk petitioned this office representing that the right of holding Bagayat land bearing S. no 5 vests in his family, that his ancestors have spent large outlay for improving the land, that during the Inam Settlement, the khata of the land was transferred to the name of Sri Vinayaka Devasm, that he merely

File No. of Muzrai Secretariat.

The Survey number on account of his private debts, as it was in his possession and enjoyment by virtue of his office as temple Archak and that his services have consequently been dispensed with. He prays for his restoration to the said post, and that the land in question may be given over to him.

The petition was forwarded to the Deputy Commissioner, Kaira District, and that officer has submitted his detailed report on the subject together with the

The Deputy commissioner reports that the Vinayaka Devasthana temple in question is a muzrai institution endowed with inam lands and that part of Survey no. 5 is one of such lands. It is reported that Survey no. 5 is comprised of the marginally-noted lands. The temple lands are

(1) Nahanna wife of Ns Subba Jois — A of assessment 0-11-- -6-4-0.
(2) Vinayaka Devasthan. 2-4-- - -37-12-0
(3) Brahmana Devasthan 0-2-- - -1-0-0
2-20 — 45-0-0

Muzrai Secretariat	File No. of 190

reported to have been in the enjoyment of the petitioner, who, as the only surviving male member in his family, was managing the affairs of the institution.

(Slip B) On 13th march 1906, he presented a petition to the Amildar of Koppa representing that on account of some debts due by him, Shamshudin, ~~that~~ Shop Keeper of Koppa, obtained by force a partition of the Inam lands of the temple by mortgage and praying that the alienee might be evicted from those lands which might be restored to him.

(Slip C) In the Registered mortgage deed dated 16th September 1901 executed by Sanna gois in favor of Shamshudin (vide copy of document files with the records), Sanna

4

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The total amount due by him is Rs 424-0-8 which he promises to pay by annual instalments of Rs 20/- (of garden land) and has mortgaged his share out of Bagayat S. no. 5 at Sonlapur, measuring A 2-20 Gy and assessed at Rs 45/- in the Khata of Nagamma.

In his statement dated 10th September 1906, Shamshudeen states that on the representation of Sanna gois that the said land was his ancestral property, he allowed it to be mortgaged to him. That he is not in possession of the land, that he was ignorant that the land in question was in temple Khata and that with a fraudulent intention, Sanna gois has petitioned to the effect that the mortgage deed was obtained by force.

(Ship D

GPB—3,000—25-9-07

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Muzrai Secretariat	File No. of 190

He adds that if Sanna Jois fails to pay up the amount, he will recover it by resorting to court.

(Slip E) The Amildar reports that the petitioner has mortgaged his share of the Inam land out of Bagayat S. no. 5 at Somlapur measuring 2 - 04 and assessed at Rs 39-12-0, that the land covered by the mortgage is was not in the khata of Nagamma, that the land mortgaged by the petr. being Devadaya endowed to Sri Vinayaka Devaru, Sanna Jois has no right to alienate it and Shamsudeen has no right to accept it and that as no mention is made of the mortgaged land as being Devadaya, the deed is null and void.

The Deputy Commissioner reports that [illegible]

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case was under enquiry. Sanna gois petitioned him to the effect that a sum of Rs 10/ which he has paid towards the Kandayam of his lands for 1904-05 and for which he has obtained a receipt (× Slip F) from the Shanbhogue, was not credited to the Treasury.

The Amildar reports (Slip E) after enquiry that Sanna gois did not pay the amount to the Shanbhogue but that Patel Kaapa who owes certain sum to the pet[illegible] having promised to pay the amount to the Shanbhogue towards his kandayam, the Shanbhogue gave a receipt therefor at his request and that subsequently the petitioner having informed Patel Kaapa not to pay the

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amount. The latter did not pay it to the Shanbhogue, who consequently could not pay it The Amildar adds that he checked the Kharch maintained by the Shanbhogue but did not notice any irregularity in it

Sanna gowda states in his deposition that the Shanbhogue pressed him for payment of Rs 10/- being the arrears of Kandayam, that Patel Kadappa owed him certain ~~exact~~ amount, that he asked the Patel to pay off Rs 10/- to the Shanbhogue and got a receipt from the latter, that he was subsequently given to understand that Remission of Khalsat on temple lands had been sanctioned by Govt and that he therefore told the Patel not to pay the amount to the Shanbhogue.

(8)

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Shanbhogue Venkatachaliah of Somlapur deposes that Sanna Jois (Slip 4) evades payment of the Kandayam amount. That on a certain day he and Patel Kadappa came to him. That the Patel having promised to pay the amount for the Archak, he gave a receipt (ಪಟ್ಟಿ ಕೊಟ್ಟರು) as requested by the Archak. That the Patel having failed to act up to his word, he went to the Archak who told him that orders had been received directing the remission of Khalsat and that as instructed by him, the Patel did not pay the Kandayam amount. He represents that the Archak did neither return the receipt nor pay the amount mentioned in it. He adds that as the Archak was a trustworthy

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man who would return the receipt to him. he did not submit a report to Govt. in the matter.

The Sub Divisional Officer gives it as his opinion that the mortgage of the temple lands by the petitioner being illegal, Shamuddin should be informed that the transaction is cancelled and that the petitioner having as an archak mortgaged the Inam lands and executed the document with incorrect statement with a fraudulent intention in contravention of the Rules on the subject, and having besides, lodged a false complaint against the Shanbhogue, he should be removed from the Pujariship

(10)

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The Deputy Commissioner has directed that Sanna Jois should be removed from the Sharishiship, and arrangements made for the appointment of a proper person in his stead, that the Inam lands endowed to the temple should be taken over under Govt. management and that Shamakudin should be informed that the mortgage of the land has been cancelled. The Shanbhogue has been fined Rs 5/- for having given a receipt without actually receiving the amount.

Clause c of the alienation Rules of 1877 lays down in regard to the treatment of alienated Inam lands, that in the case of simple mortgage or hypothecation

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(4)

Muzrai Secretariat | File No. of 190

of the Inam land without possession, the transaction will be declared null and void in so far as it is intended to create a lien on the lands or to treat them as security for the loan advances. In the alienation Rules, ~~24th~~ further directed that if the Inam lands are themselves the chief offenders in the matter, the family of the persons guilty of having made the alienation should be removed from their offices and connection with the institution for which the Inams are granted and where the purchasers or the mortgagees have obtained the Inams through ignorance for valuable consideration, it will be proper to compel the Inamdar who alienates the Inam or

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new nominees to offices or the communities interested in the institution to make good to the alienee the consideration actually paid by them and further compensation if any and if they do not consent or are not able to pay the compensation and the institution is not of such a general public character as to require the intervention of Govt. for its protection. the proper course to pursue will be to resume and bring under full assessment the lands alienated.

(Printed copy (Intact) Slip I.

AW 27/10/08 Submitted for orders with a Draft to the Inam Superintt calling for an extract of the detailed Inam Regr pertaining to the grants of the land to the temples

AW 27/10/08

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(13

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Note continued

The Inam Superintendent has as called for in this office docket of the 11th July 1908, submitted a copy of the Inam Register of lands endowed to the Sri Virayaka Devaru temple at Somlapur, Koppa Taluk.

ADC 21/7/08 Submitted for orders.

The land in question is "Devadaya" and its alienation by the Archak of the institution is unauthorized. The action taken by the Deputy Commr. in the matter of ~~Case~~ case can only be in the alienation & recovery of it to the temple is in accordance with the Rules of 1877 and may be approved. The Archak can only be removed from the office.

Submitted with a draft.

24/7/08 97 — Submitted to 2nd C. for approval

30/7/08

30/7/08

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approved. It is a simple mortgage or hypothecation. It is perhaps sufficient if the land is taken charge of by Govt & kept for the use of the Temple. No order of resumption from the Inam Commr appears necessary.

KBM
31/7/08

Issue
CSB
31/7/08

GPB—3,000—25-9-07

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G P B—3,000—25-9-07

By registered post

Refer please

A.V. Please continue note

MYSORE GOVERNMENT
3279
14/2/08
MUZRAI SECRETARIAT

24
2

By Regd Post
14/2/08

Sl 2

Mnz. 1 A]

190

From

To

The Dy Commissioner,

Kanara District

Dated

Despatched 12.3.08.

Received

General No. 4 [illegible]

No

Enclosure No. 2

Has the honr to forwd herewith for favr of enquiry and detailed report, the marginally noted petitions from Samasa Jois, Archak of the Vinayaka Devasn temple in Soulapur Grama, Koppa Taluk, praying for his restoration to the said post and also that the Inam lands alienated from the temple may be placed in his possession

By order

6/3/08

Secretary

Encl to the petn

no 2075 Dy 14.11.1907
u - 3279 Dy 14.2.1908.

GPB—8,000—2-1-08

MYSORE GOVERNMENT
5282
27.6.08
MUZRAI SECRETARIAT

1907-08

From The Deputy Commissioner,
Kadur District.

To The Secretary to the Govt.
of Mysore, Muzrai Deptt

Dated 24th

Despatched 25th June 1908

Received

General No. 550.
No.

Enclosure No. 1 file.

Refer
Ak
Please submit a short note
Ak 1/7/08

Submitting a report on the petition of Sauna Jois, Archk of the Vinayakadevaru temple at Somlapur in the Koppa Taluk, praying for the restoration of the post of Archak.

Office of the Deputy Commissioner

Kadur District,

Dated Chikmaglur the 24th June 1908.

From

K.R.Srinivasa Iyengar, Esquire, M.A.,

Deputy Commissioner,

Kadur District.

To

L.Ananthaswami Rao,Esquire,B.A.,

Secretary to the Government of Mysore,

Muzarai Department.

Sir,

With reference to your docket No. 4037 dated 18th March 1908, calling for a report on the petition of Sanna Jois, Archak of the Vinayakadevaru temple at Somlapur in the Koppa Taluk, praying for his restoration to the said post, etc., I have the honor to state that the temple in question is a Muzrai institution endowed with the marginally noted Inam lands measuring in all 3 Acres and 4 Guntas and assessed at Rs.60/-, the Jodi and Jari being Rs.33-4- and Rs.4-4-0, respectively, excluding the Pagayet remission of Rs.10-0-0.

Sur. No.	Extent A.	G.	Assessment Rs.	As.	Ps.
5 part	2	4	37	12	0
6 part	0	7	3	4	0
8 part	0	27	19	0	0
10 part	0	0	0	0	0
Total	3	4	60	0	0

2. These lands were in the enjoyment of the Petitioner Sanna Jois, who, as the only surviving male member in his family, was managing the affairs of the Institution.

3. On 13th March 1906, he presented a petition to the Amildar of Koppa praying that one Shamshudin, shop keeper of Koppa, who had obtained a portion of the Inam Lands of the Temple by mortgage, might be evicted from such lands.

4. The Amildar, after detailed enquiry, reported to this Office that the petitioner himself had mortgaged his share of the Inam

Inam Land out of bagayet Survey No.5, at Somlapur, measuring 2 Acres 4 Guntas and assessed at Rs.37-12-0, to Shamshudin, on 15th September 1901, to clear off some debts due by him. The mortgage Deed which was registered in the Koppa Sub Registry Office, (Vide copy of document attached to the records) was to the effect that the petitioner's share out of bagayet Survey No.5 at Somlapur, measuring 2 Acres 20 Guntas and assessed at Rs.45/-, in the Khate of Nagamma was mortgaged to Shamshudeen and that the Petitioner was to clear the mortgage by annual payments of Rs.20/-. It is ascertained that the land covered by the mortgage was not in the Khate of Nagamma as alleged in the Deed. It was also reported that Shamshudeed in his statement before the Amildar stated that it was on the representation of Sanna Jois that the said land was his ancestral property that he allowed it to be mortgaged to him and that he was ignorant that it was an Inam Land.

5. Meanwhile, while the case was under enquiry by the Amildar, the petitioner petitioned to the Deputy Commissioner, on 16th July 1906, to the effect that a sum of Rs.30/-, which he had paid towards the Kandayam of his lands for 1904-05 and for which he had obtained a receipt from the Shanbogue, was not credited to the Treasury.

6. The Amildar, who was directed to enquire and report in the matter, reported that Sanna Jois did not pay the amount to the Shanbogue, but that Patel Kadappa, who owed certain sum to the petitioner, having promised to pay the amount to the Shanbogue towards his Kandayam, the Shanbogue gave a receipt therefor to the petitioner at his request, and that subsequently, the petitioner having informed Patel Kadappa not to pay the amount, the latter did not pay it to the Shanbogue, and consequently could not remit it.

7. The Sub Divisional Assistant Commissioner, through whom the records of the enquiry by the Amildar were received, ave

gave it as his opinion, that the mortgage of the temple lands [illegible] by the petitioner being illegal, Shamshudeen should be informed that the transaction was cancelled, and that the petitioner, having as an Archak, mortgaged the Inam Lands and executed the document with incorrect statements with a fraudulent intention in contravention of the rules on the subject, and ~~that~~ having, besides, lodged a false complaint against the Shanbogue, ~~et efore~~, he should removed from the Pujarishp.

5. The then Deputy Commissioner, on going through the records of the case, ordered, on 12th August 1907, that Sanna Jois should be removed from the Pujarishp and arrangements made for the appointment of a proper person in his stead, that the Inam Lands endowed to the Temple should be taken over under Government management, and that Shamshudeen should be informed that the mortgage of the land to him by the petitioner had been cancelled.

6. It is against this order that the petitioner has now appealed.

10. The Kannada file relating with the Koppa Amildar's report No.306 dated 8th April 1908, is herewith submitted for reference and following return.

I have the honor to be

Sir,

Your most obedient servant.

Deputy Commissioner,

Kadur District.

Muz. 1]

190

From

To

The Superintendent of Inam Settlements in Mysore

Dated

Despatched 11.7.08.

Received

General No. 158.

No.

Enclosure No.

Has the honour to

to be furnished with an extract of the details register pertaining to the grant of the marginally-noted Inam lands for the up-keep of the Sri Virabhadra devasthanam temple at Soulap in the Koppa Taluk.

By order

CSB

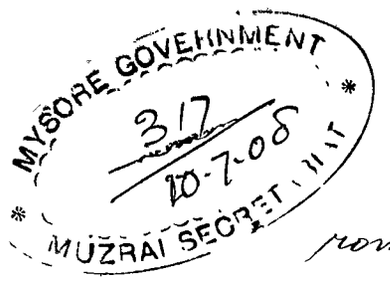
GPL—3,000—19-9-07

11/9/08 for Secretary.

On Per Memo no

Survey no.	Extent. A. G.	Assessment Rs. A. P.
5 Gantu-	2-14	37-12-0
6 do—	0-7	3-4-0
8 do—	0-27	12-0-0
10 do—	0-6.	3-0-0
	3-4	56-0-0

of the en
of Inam Settlements
in Mysore.



Dated, Bangalore, 17th July 1908.

Refer
rom
Ab
continue note please
Ex 087/08

The Superintendent
of Inam Settlements
in Mysore.

To

The Secretary to the Government
of H.H. the Maharaja of Mysore,
Muzrai Department.

Sir,

As requested in your docket No. 158 of the 11th Instant, I have the honor to forward herewith, a copy of the Inam Register of lands endowed to Sri Vinayaka Devaru at Sowalapur in the Koppa Taluk.

I have the honor to be,
Sir,
your most obedient Servant.

D. Rama Rao
Superintendent,
of Inam Settlements
in Mysore.

On Her Majesty's

Register Sheet No. 8.

Taluk —— Koppa

Hobli —— Koppa

Village — Somalapura

Copy of Register of Inams in the village of Soma

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No. and name of field or fields comprised in the grant Dry, wet or garden	Extent	
			Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Measure in acres and their fractions in decimals
1	2	3	4	5
(DDC-129) 1	Devadaya	Subsidy Land not Garden identifiable.	As per Jami Account of 1834 and 1835. 300 dayas.	—

t of Koppa in the Taluk of Koppa

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc., or liable to quit-rent, *i. e.*, jodi, etc., amount of latter to be entered
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7			
6	7	8	9
Sist U. P. 11-5-6. = P. 7-V. 3-1-0.	"	For pooje, Nyvedya, Karteeka-deepotsava & Vasantotsava to Vinayaka-devaru of the Village. Services rendered. Temple in good order.	Free,

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given.
10	11
—	One Takeed dated Manmatha (1776) from Rajaram of Nagara granting 12 Pagodas worth of inam land for amrutapadite of Vinayak from waste land, included from Ky Kagada.

Kadiwar

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
	Jaffna Accounts 1805 Somalapuradda Vinayakdevar Ottar 750 trees 75 fan. out of which 4½ pagodas were Zufti.	1834 Vinayakadevaru Sirkar 9 Pagodas Ottar — 300 trees 3 pagodas 1858. Same Ottar on 4 vargs 75 trees in each, making a total of 300 trees. Rs. 11-5-u Chittas 1841 Vargs Nos. 137-138-139 & 140, Ottar as above

of the et ai

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the inam has been subdivided, the name, etc., of each sharer should be entered in the columns

Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
Somalapura Vinayaka. Villagers manage The inam is enjoyed by the Vargadars who conduct Services by equal turns			grant of which cannot be identified as its situa- The inam is in the undermen Vargdars deducting the sum demand, perform the services. Vargs — Vargdars — Kogu — No. 137 — Devarajois — No. 57 — " 138 — Ramajois — " do — " 139 — Krishnappa & Putta jois — " do — " 140. — Ranja jois — " do — To be confirmed so long as Services a after Survey. (Sd) V.N. Narasimm asst, 1 Valid under Rule 1 W.J. 2 Vargadars are managers. Para 2 of Rule 3 To be confirmed in band free. Rule (Sd) V.N. Narasimmiengar. 12.12.74.

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20

The inam land (of the
there is no doubt, Section 11)
tion is unknown.
tioned Vargs, and the
in Col. 6 from the Govt.

— Fields.	— Assessment.	— Baki Uttar	1 D.J. cultivated. form 11.
— 4 gardens 1401 dayas	— 48-8-5	— 2-13-4	
— 5 " 1493 dayas	— 52-7-7	— 2-13-4	2. confirmed.
— 4 1600 dayas.	— 56-14-3	— 2-13-5	(Sd) Robert Cole Supdt 18.1.73
— 2 1101 dayas.	— 36-4-9.	— 2-13-5.	Land at ☐ free
		11-5-6	(Sd) J. Puckle Offg. Supdt "Cape," 17.12.74.

performed. Rs 11-5/ commutable

engar
28.2.72

D. Ranga Rao
Superintendent
of Inam Settlements
& in Mysore

30.

Inam Supdt's office
17th July 1908

GPB—1000 books of 2 sheets each—9-8-06.

Compd

Draft for approval

Murzban Slf

Read;

Petition registered no. 2045 dated 14th Nov. 1907 from Sanna Gois, late Archak of the Sri Vinayaka Devaru temple at Somlapur, Koppa Taluk, appealing against the Kadur Dy. Commrs. order removing him from the Archakship of the temple

Letter no. 550 dated 24th June 1908 from the Dy. Commissioner, Kadur District, reporting on the above.

Letter no 14 dated 14th July 1908 from the Superintendent of Inam Settlements in Mysore forwarding an extract of the Register relating to the Grant of Inam lands to the Temple

On her Memorial no.

No. 634-5 D/5.8.08.
Temple

The temple of Sri Vinayaka Devaru at Somlapura in the Koppa Taluk is a muzr. insti endowed with ~~among other~~ among which is a part Inam lands, ~~portion~~ of S. no 5 of Somlapura ~~grama~~ measuring a of 2-L. the other ~~portion~~ part of the same number being Brahmadaya land in the name of Nagamma and Devadaya land in the name of Brahma Devaru

(2) ~~The Deputy Commr~~ ~~reports that the~~ Archak Sanna has mortgaged in Contravention of the rules on the subject, ~~the~~ the temple's share of the Inam land out of S. no. 5. on account of his private debts, making a false entry in the deed executed by him that the entire Survey number was in the Khata of Nagamma. ~~and that~~ He subsequently petitioned the Dy Commr.

praying for the resumption and restoration of the above land to the institution.

~~That Officer further states~~ It is also reported that when pressed for the payment of Kandayam ~~amount~~ by the Shanbhogue, Sanna Jois arranged for its payment through the Patel and obtained a receipt before actual payment ~~on trust~~, that the amount was not actually paid nor was the receipt returned to the Shanbhogue; and that Sanna Jois subsequently lodges a false complaint that the Kandayam amount paid ~~on~~ according to the above receipt was not credited to the Treasury by the Shanbhogue. The Deputy Commissioner has therefore ordered that Sanna Jois should [illegible]

from the post and a com-
petent person appointed
in his stead, that the
mortgagee of the land
~~alienee~~ should be informed
that the mortgage transaction has
~~aforesaid~~
be cancelled and that
the Duam lands should
be taken under Govt
management.

(3) Sanna gois has appealed
to Govt against the foregoing
order praying for his restoration
to the Archakship.

(4) The Govt observe
that the land in question
is Devadaya and its mortgage
by the Archak ~~is~~ was irregular &
unauthorized. Under the
circumstances reported,
the action taken by the
Dy. Commr is approved.
~~The~~ Archak Sanna gois
has been removed

from the post. The Inam lands should be ~~returned~~ taken charge of by the Dy Commr ~~from the district~~ and ~~vested~~ kept for the use of the temple ~~to the institution~~. proper arrangements being made for the regular conduct of puja and other services in the temple.

DS) CSB 30/7/08
Secretary.
Cl 31/7/08

31/7/08

To, the Dy. Commissioner, Kadur Distt. returning the records.

" Inam Supdt.

Encl: To the above petitions.